

03-29-04

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EXPRESS MAIL NO.: EL615431272US

DATE MAILED: MARCH 26, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Cynthia B. Robinson, *et al.*

Application No. 10/698,064

Filed: October 29, 2003

For: COMBINATION OF
DEHYDROEPIANDROSTERONE OR
DEHYDROEPIANDROSTERONE-
SULFATE WITH A METHYLXANTHINE
DERIVATIVE FOR TREATMENT OF
ASTHMA OR CHRONIC OBSTRUCTIVE
PULMONARY DISEASE

Art Unit: 1623

Examiner: Not Yet Assigned

Confirmation No.: 9740

Atty. Docket: 05882.0072.NPUS01

**Submission of Combined Declaration and
Power of Attorney for Patent Application**

Commissioner for Patents
P.O. Box 1450
Washington, D.C. 22313-1450

Sir:

Applicant(s) submits the following documents for appropriate action by the U.S. Patent and Trademark Office:

- ☒ Copy of Original Declaration, executed by the inventor(s);
- ☒ Check in the amount of \$65.00 for a small entity; and
- ☒ Return Receipt Postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents.

Commissioner for Patents

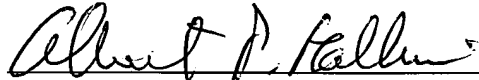
March 26, 2004

Page 2

If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 08-3038 referencing docket number 02486.0072.NPUS01. A duplicate copy of this Submission is enclosed.

Respectfully submitted,

Date: March 26, 2004

A handwritten signature in cursive script, appearing to read "Albert P. Halluin", written over a horizontal line.

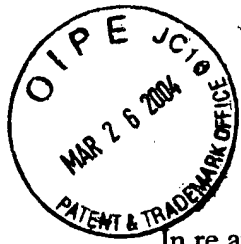
Albert P. Halluin (Reg. No. 25,227)

Robin C. Chiang (Reg. No. 46,619)

HOWREY SIMON ARNOLD & WHITE, LLP
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Menlo Park, CA 94025
(650) 463-8109

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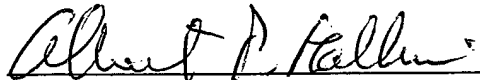
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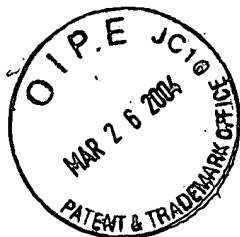
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Combined Declaration and Power of Attorney for Patent Application

Docket Number: 02486.0072.NPUS01

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled **COMBINATION OF DEHYDROEPIANDROSTERONE OR DEHYDROEPIANDROSTERONE-SULFATE WITH A METHYLXANTHINE DERIVATIVE FOR TREATMENT OF ASTHMA OR CHRONIC OBSTRUCTIVE PULMONARY DISEASE**, the specification of which is attached hereto unless the following box is checked:

was filed on October 29, 2003;
as United States Application Number 10/698,064 or PCT International Application Number _____; and
was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application, which designated at least one country other than the United States listed below, and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)			Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No

_____ (Application No.)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No
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_____ (Application No.)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No
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I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

<u>60/492,264</u> (Application No.)	<u>July 31, 2003</u> (Filing Date)
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_____ (Application No.)	_____ (Filing Date)
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I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56 that became available between the filing date of the prior application and the national or PCT international filing date of this application.

(Application No.)	(Filing Date)	(Status - patented, pending, abandoned)
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(Application No.)	(Filing Date)	(Status - patented, pending, abandoned)
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I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:


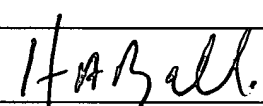
Jason C. Abair, Reg. No. 44,007	Brian S.Y. Kim, Reg. No. 41,114
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Inventor's signature 	Date 3 Feb 2004
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Citizenship United States	
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Second inventor's signature 	Date 3 Feb 2004
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Citizenship United States	
Post Office Address 9 Shady Lane, Kendall Park, New Jersey 08824	
Full name of third inventor	
Third inventor's signature	Date
Residence	
Citizenship	
Post Office Address	